United Nations E/ICEF/2018/13

Economic and Social Council

Distr.: General
12 April 2018

Original: English

For information

United Nations Children's Fund
Executive Board
Annual session 2018
11–14 June 2018
Item 10 of the provisional agenda*

Report of the Ethics Office of UNICEF for 2017

Summary

The present report is submitted to the UNICEF Executive Board in accordance with section 5.4 of the Secretary-General's bulletin on United Nations system-wide application of ethics: separately administered organs and programmes (ST/SGB/2007/11). The report was reviewed and recommendations were provided by the Ethics Panel of the United Nations, as envisaged in the bulletin.

The annual report covers each of the mandated areas of work for the Office: (a) standard-setting and policy support; (b) training, education and outreach; (c) advice and guidance; (d) the Financial Disclosure Programme; (e) the protection of staff against retaliation; and (f) participation in the Ethics Panel of the United Nations and the Ethics Network of Multilateral Organizations. In accordance with Executive Board decision 2014/12, the report also presents observations/recommendations to management to strengthen the organizational culture of integrity and compliance. The report covers activities relating to UNICEF staff and services provided to them as well as to consultants and other non-staff, to the extent applicable.

* E/ICEF/2018/8.
Note: The present document was processed in its entirety by UNICEF.

18-07421 (E) 100518

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I. Introduction

1. The present report, the ninth since the establishment of the UNICEF Ethics Office in December 2007, covers the period 1 January to 31 December 2017. The report, prepared in accordance with the Secretary-General's bulletin on United Nations system-wide application of ethics: separately administered organs and programmes (ST/SGB/2007/11), is submitted to the Executive Board at its 2018 annual session.

II. Overview and general information on activities of the Ethics Office

2. As in previous years, the activities of the Ethics Office were undertaken in the following mandated areas of work:

(a) Provide guidance and policy support to management on ethics standard-setting by reviewing and advising on the rules, policies, procedures and practices of the organization in order to reinforce and promote the highest standards of ethics and integrity as required by the Charter of the United Nations, other applicable staff rules and regulations, the directives of UNICEF and the Standards of conduct for the international civil service;

(b) Raise the awareness of staff regarding the values and expected standards of conduct and procedures of the United Nations, through training and other forms of outreach;

(c) Provide confidential advice and guidance to staff and management, at their request, on ethical issues;

(d) Administer the Financial Disclosure Programme;

(e) Undertake assigned responsibilities under the policy on protection against retaliation;

(f) Contribute to harmonized approaches to ethics issues within the United Nations system.

3. The Ethics Office recorded and responded to 634 requests for services in 2017, compared with 321 requests in 2016 and 323 in 2015. In other words, the number of recorded requests for services in 2017 almost doubled, compared with the number of recorded requests for services in the previous two years. This very significant increase in the number of recorded requests for services can be attributed to two main factors:

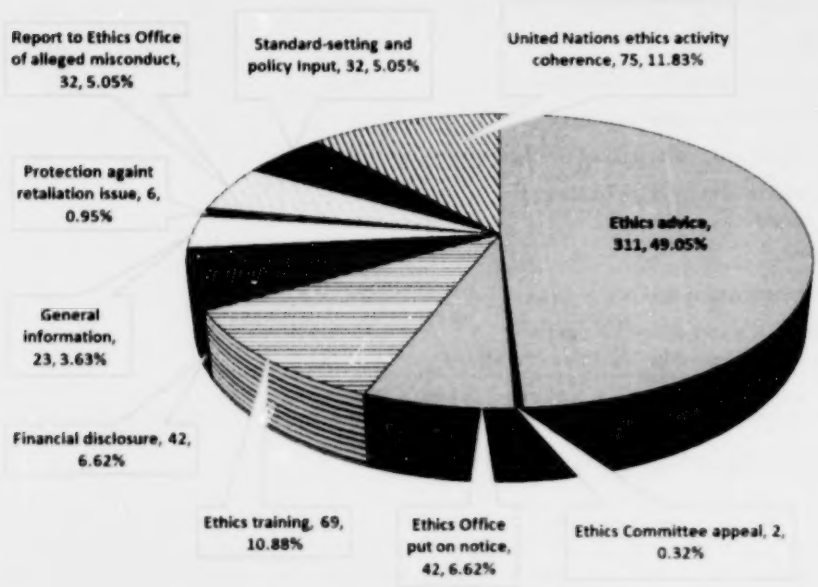
(a) The Ethics Office undertook considerable and sustained efforts in 2016 and 2017 to increase its visibility and accessibility to all UNICEF staff worldwide. In 2017, the Office engaged in numerous high-profile outreach and awareness initiatives and completed a comprehensive redesign of its UNICEF intranet presence (creation of the Office and Ethics Dialogue Facilitators' team sites);

(b) The Ethics Office also made considerable efforts in 2017 to achieve a more systematic and streamlined recording of requests for services. At the present stage, the Office is preparing a business case for acquiring comprehensive user-friendly case-management software in 2018;

4. Of the recorded requests for services in 2017, 49 per cent were requests for confidential ethics advice and guidance (area 2 (c)); 11 per cent were requests for ethics training (area 2 (b)); 12 per cent were related to the coherence and harmonization of United Nations ethics

activity (area 2 (f)); and 5 per cent were related to providing guidance and policy support on ethics standard-setting (area 2 (a)).

Figure I
Number of requests for Ethics Office services, by category, 2017


Report to Ethics Office of alleged misconduct, 32, 5.05%
Standard-setting and policy input, 32, 5.05%
United Nations ethics activity coherence, 75, 11.83%
Protection againt retaliation issue, 6, 0.95%
Ethics advice, 311, 49.05%
General information, 23, 3.63%
Financial disclosure, 42, 6.62%
Ethics training, 69, 10.88%
Ethics Office put on notice, 42, 6.62%
Ethics Committee appeal, 2, 0.32%

5. In line with the Ethics Office work plan for 2016/2017, the key focus for its 2017 activities continued to be on further enhancing its ethics outreach, awareness, training and education initiatives, with a particular emphasis on ethical leadership. As further explained below, the Office continued to try out and design new models for outreach and interaction to reach as many UNICEF staff members and non-staff personnel as possible.

6. Throughout 2017, the Office continued to work closely with offices across UNICEF to achieve seamless and cohesive support to and services for staff members seeking advice on workplace and other staff conduct-related matters. Collaboration was particularly close with the Division of Human Resources, the Office of Internal Audit and Investigations (OIAI), the Office of the Ombudsman for the Funds and Programmes, the Staff Counsellors, and the Information and Communication Technology Division as well as the Global Staff Association at the global and regional levels. The Ethics Office also worked closely with the regional offices and country offices. In addition, the Principal Adviser, Ethics, met regularly with the Executive Director and the Chief of Staff.

Table 1
Comparison of the number of requests for ethics-related services, by category, 2015–2017

Category	*2015*	*2016*	*2017*
Ethics advice[1]	153	141	311
Ethics Panel protection against retaliation appeal matters[2]	0	2	2
Ethics Office put on notice[3]	8	10	42
Ethics training	37	66	69
Financial Disclosure Programme	36	17	42
General information requests by staff	13	11	23
UNICEF protection against retaliation	12	5	6
Report to Ethics Office of alleged misconduct	27	5	32
Press	0	2	0
Standard-setting and policy input	20	28	32
United Nations ethics coherence (consultations within the Ethics Panel)	17	34	75
Total	**323**	**321**	**634**

III. Training, education and outreach

7. The Ethics Office continued its strong focus in 2017 on further enhancing its ethics outreach, awareness, training and education initiatives, with a particular emphasis on ethical leadership. The overall goal was to further raise awareness and understanding of the applicable United Nations staff regulations and rules and UNICEF rules and standards of conduct as well as the mandate of the Office. In 2017, the Office further stepped up its efforts to reach and engage with UNICEF leadership and staff members at all levels.

8. As a key element of its 2017 global outreach activities, the Ethics Office organized, coordinated and led an organization-wide initiative branded as "Ethics Leadership Month". The initiative took place throughout October 2017, with the key event being Global Ethics Day, held on 18 October. The idea was to bring together the various strands in which ethics is being discussed in UNICEF, to demonstrate that UNICEF offices and divisions

[1] The Ethics Office counts as a request for ethics advice any individual request for advice and guidance by one staff member or non-staff personnel, in relation to a set of facts. In many instances, one request for ethics advice may require multiple communications by email and/or conversations. In other instances, one request for advice requires a single exchange.

[2] This refers to consultations by the Chair of the Ethics Panel of the United Nations with members of the panel, in relation to the function of the Chair as the reviewer of determinations in cases of protection against retaliation. In essence, the members of the panel exercise a peer-review function in relation to cases that are determined by another member. Such review is triggered upon request by a complainant (staff member or non-staff personnel).

[3] This category refers to situations in which the Ethics Office is notified of a particular situation by a staff member or non-staff personnel, but the individual specifically requests the Office not to take any action.

worldwide are joined in their efforts to promote ethics-related topics and issues, even if there is no single office with the exclusive mandate to cover all of them.

9. While the Ethics Office took the lead in organizing Ethics Leadership Month, 13 offices and divisions in UNICEF showcased their work on specific ethics-related issues and 14 global webinars or other globally recorded sessions on ethics-related topics were held. The global webinars covered a comprehensive range of topics, including (a) ethics and private lives (focused on the treatment of staff members' children, other family members, spouses, partners and household employees); (b) ethical dilemmas and access to information on ethics for supply; (c) ethics and information technology (focused on digital ethics and what it means for children and UNICEF); (d) ethics in evidence gathering; (e) ethics in fundraising and corporate social responsibility; (f) ethics in innovation: UNICEF principles for innovation and technology development; and (g) ethics in communication: the ethical use by UNICEF of children's images and the organization's social media guidelines.

10. Ethics Leadership Month was thus developed as a grassroots effort, at all levels and in all parts of the organization, with events organized at the country-office, regional-office and division levels. Globally, at least 2,800 staff members — over 20 per cent of all staff members — participated in some form of ethics training or outreach activity during the month, with 67 country offices and 10 other offices and divisions organizing specific activities. Staff members in 47 country offices retook the Oath of Office, as a powerful symbolic act to mark their commitment and continued dedication to the key values of UNICEF.

11. In addition to this high-profile, high-visibility initiative, the Ethics Office continued with established training and outreach methods, while further diversifying the methods and tools it used for training, education and outreach. UNICEF continued to offer the online course entitled "Ethics and Integrity at UNICEF", which was adapted from the e-learning course of the Secretariat and introduced in June 2015. The course, which is available in English, French and Spanish, is mandatory for current staff and is included in the induction package for new staff.

12. In 2017, the Ethics Office collaborated with the United Nations Population Fund, the United Nations Development Programme, and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to finalize the mandatory online training on protection from sexual exploitation and abuse. UNICEF was the first of the four to launch the course, with a joint global broadcast message from the Director of Human Resources and the Principal Adviser, Ethics, in August 2017. The launch was promoted by means of a video of a conversation between the Deputy Executive Director (Management) and the Principal Adviser, Ethics, in which they shared their thoughts about the new training course. The course is currently available only in English, but is expected to be available in Arabic, French and Spanish before mid-2018.

13. In 2017, the Ethics Office received a total of 69 requests for ethics training and awareness sessions or training support. Those requests originated in 16 country offices, six regional offices and seven headquarters offices or divisions. The Office provided ethics training to a total of 2,461 staff members, with 947 participating in face-to-face sessions and 1,514 in remote sessions. Of the 947 staff members who participated in face-to-face sessions, 578 were based in country offices, 143 were members of regional or global management teams and 10 were representatives of the Global Staff Association.

14. Since taking office in February 2016, the Principal Adviser, Ethics, has attended Regional Management Team meetings in East Asia and the Pacific, Eastern and Southern Africa, the Middle East and North Africa, South Asia and West and Central Africa,

connecting face-to-face with regional directors and country office representatives in five out of the seven UNICEF regions. The Principal Adviser also used the official missions for face-to-face ethics training and awareness sessions in the host country and in neighbouring country offices in the regions, including face-to-face sessions in Afghanistan, India, Libya, Morocco, the Philippines and Tunisia. In addition, following urgent requests by the representatives of Chad and Rwanda, respectively, one of the two Ethics specialists (a native French speaker) undertook a two-week mission to the country offices in those countries to provide face-to-face ethics training and awareness sessions.

15. In New York, the Principal Adviser, Ethics, held a session for the annual general meeting of the Global Staff Association and an induction course for new representatives. The Ethics Office also held four in-person and one remote ethics session for new staff at headquarters locations. In addition, the Office held two joint face-to-face training sessions with the Ombudsman for the Funds and Programmes New York-based staff. The Office also held 39 remote ethics training sessions via Skype or video-conference customized to the needs of the recipients.

16. The Ethics Office organized and led five global webinars that were accessible to staff worldwide on the following ethics related topics: (a) political activities by staff members and the status of international civil servants; (b) outside activities; (c) preventing, detecting and combatting fraud and corruption; (d) relations with national Governments and the independence of the international civil service (conducted in French); and (e) ethics and private lives. The webinars attracted up to 171 participants per session globally and 665 participants in total. In light of the ongoing success of this outreach activity in 2016/2017, the Office plans to continue to offer such webinars in 2018.

17. The Ethics Office continued the global roll-out of the Ethics Dialogue Facilitator model, introduced in 2014/2015 and based on the "train the trainer" model. The role of the Ethics Dialogue Facilitators is to raise understanding and awareness of ethics and integrity issues in relation to staff conduct, by holding regular (at least quarterly) meetings for all staff members in a particular country office, and to facilitate a conversation around a particular ethics topic, using case studies and presentations accessible to all trained Ethics Dialogue Facilitators. Through a combination of remote and face-to-face training, the Office trained 65 new facilitators. As a result, by the end of 2017, 17 out of 21 country offices in Eastern and Southern Africa; all countries in the Middle East and North Africa; and half of the countries in East Asia and the Pacific and South Asia had one or more facilitators in place. The Office also responded to requests to recommend, guide and debrief external ethics trainers, in particular for country offices in which the provision of face-to-face ethics training by Office staff was not viable due to capacity reasons.

18. Compared with 2016, the number of staff members who received customized, face-to-face ethics training by the Ethics Office in 2017 increased by 29 per cent and the number of staff members who received such training remotely increased by 81 per cent. Overall, the number of staff members who received customized ethics training (beyond the mandatory online courses), either remotely or in person, increased by almost 57 per cent.

19. Finally, the Ethics Office retained two Columbia University graduate students from UNICEF programme countries in Asia and East Africa as ethics communications interns to assist in identifying and using new communications tools to reach as wide a range of staff members as possible, with a focus on national staff, colleagues from programme countries and younger colleagues from the millennial generation. In that spirit, the Ethics Office started and nurtured two Yammer groups (the UNICEF internal equivalent to Twitter) on ethics-related topics and took advice from Yammer participants on how to effectively

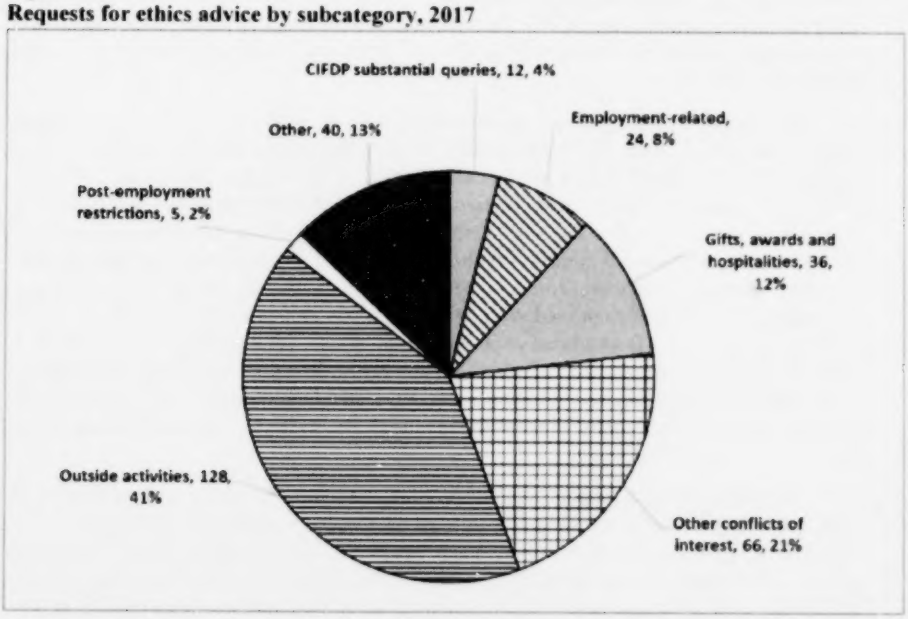
deliver sometimes "tough messages" by using human interest-focused imaging and messaging.

IV. Advice and guidance

20. The Ethics Office recorded 311 individual requests for ethics advice in 2017, compared with 141 in 2016 and 153 in 2015. As shown in figure II, 41 per cent were related to the outside activities of staff members and 21 per cent to other conflicts of interest. While the majority of requests came from individual staff members, some came from managers seeking advice on requests from staff members wanting to engage in outside activities. A significant number of requests concerning outside activities continued to come to the Office as consultation matters from the Policy and Administrative Law Section in the Division of Human Resources. Within the category of requests concerning outside activities and conflicts of interest, the Office noted a significant increase in requests for advice on permissible outside activities after conducting the webinar on outside activities, including political activities.

21. Throughout 2017, starting in January, the Ethics Office registered a significant increase in requests for advice and guidance on the scope of permissible political activities for staff members, in light of their status as international civil servants, in particular the ability of staff members to participate in such public events as marches. Following consultations and conversations with internal stakeholders and other members of the Ethics Panel of the United Nations, the Ethics Office decided to address the topic individually by responding to specific requests for advice and guidance, and globally through a tailor-made webinar and a list of frequently asked questions made available on the Ethics Office website in early 2017.

Figure II
Requests for ethics advice by subcategory, 2017


CIFDP substantial queries, 12, 4%
Employment-related, 24, 8%
Other, 40, 13%
Post-employment restrictions, 5, 2%
Gifts, awards and hospitalities, 36, 12%
Outside activities, 128, 41%
Other conflicts of interest, 66, 21%

Abbreviation: CIFDP – Conflict of Interest and Financial Disclosure Programme.

V. Standard-setting and policy support

22. Under the Secretary-General's bulletin on United Nations system-wide application of ethics: separately administered organs and programmes (ST/SGB/2007/11), the Ethics Office provides guidance and policy support to management on ethics standard-setting by reviewing and advising on the rules, policies, procedures and practices of the organization in order to reinforce and promote the highest standards of ethics and integrity.

23. To assist the Ethics Office in meeting this mandate, the Office held regular collaborative meetings with the Policy and Administrative Law Section in the Division of Human Resources, the Office of Internal Audit and Investigations (OIAI), the Staff Counsellors and the Office of the Ombudsman.

24. During the reporting period, the Ethics Office was consulted and provided advice on policy development projects. Notably, the Office was consulted by the Division of Financial and Administrative Management on the terms of reference for the retaining of an external consultancy firm to develop the UNICEF anti-fraud strategy. It is the understanding of the Office that it will eventually also be consulted on the draft anti-fraud strategy itself before it is finalized. Furthermore, the Office provided input for the design of the 2017 Global Staff Survey, which was launched in March 2017, on questions relating to ethics, integrity and standards of conduct.

25. In addition, the Office was consulted by the Joint Inspection Unit for input into its reports on conflict of interest and whistle-blower protection.

26. The Ethics Office was consulted on developments within the Inter-Agency Standing Committee regarding protection from sexual exploitation and abuse and on the statement by the Committee's principals regarding zero tolerance on sexual harassment and abuse in the humanitarian sector, issued in March 2017. The latter topic started to receive additional attention among relevant UNICEF stakeholders during the fourth quarter of 2017. The topic of sexual harassment and abuse in the humanitarian sector was also an important part of the conversations among the Ethics Advisers for the funds and programmes within the Ethics Panel of the United Nations.

27. The Ethics Office continued to advocate internally within UNICEF for the further operationalization of the UNICEF Policy on Conduct Promoting the Protection and Safeguarding of Children (Child Safeguarding Policy), which was adopted in mid-2016. The Office was informed that several activities to operationalize the policy had taken place or were taking place, in particular: (a) the general policy standards have been incorporated by reference into all UNICEF contracts with staff, independent consultants and contractors, suppliers and civil society implementing partners; (b) measures are being taken to mitigate personnel risks through improved staff vetting and the launch of the mandatory online training on protection from sexual exploitation and abuse; (c) a number of policies have been identified that are needed to address child safeguarding concerns and existing policy gaps; and (d) a decision has been taken to have standing capacity for a senior child safeguarding advisor, initially supported with additional staffing to accelerate work in the area.

28. The Ethics Office continues to be of the view, however, that the operationalization of the Child Safeguarding Policy remains unfinished, since the policy specifically envisages that UNICEF division directors will issue appropriate procedures and guidelines, within the scope of their respective accountabilities regarding the implementation of the policy. While the Office does not know how many divisions have already met this requirement, it was

encouraged by the fact that UNICEF recognizes that additional procedures and further guidance are required for the implementation of the policy; existing policies should be harmonized; and a review and risk assessment are required to ensure that consistent, interlocking and comprehensive standards are implemented. Policy coherence is particularly important (and challenging), since safeguarding concerns arise in all aspects of the work of UNICEF.

29. Work on protection from sexual exploitation and abuse has gained momentum since the publication of the report of an independent review on sexual exploitation and abuse by international peacekeeping forces in the Central African Republic: "Taking action on sexual exploitation and abuse by peacekeepers" (A/71/99). In addition, the Child Protection Division led several initiatives, including on a community-based complaint mechanism and on protection from sexual exploitation and abuse networks. The Ethics Office was encouraged by the fact that, towards the end of 2017, UNICEF started to further accelerate its response to sexual exploitation and abuse and sexual harassment. As a part of these activities, an interim post focused on sexual exploitation and abuse, sexual harassment and child safeguarding was created, reporting directly to the Deputy Executive Director (Management).

30. As part of its ethics standard-setting and policy-support functions, the Ethics Office provided a briefing on its programme activities at the annual meeting of the UNICEF Audit Advisory Committee.

31. In the absence of an established standard practice regarding when, how and in what format the Ethics Office should be consulted on matters of ethics standard-setting and policy support, the Office continued to advocate for its early and ongoing involvement in all and any such matters to ensure that input from the Office has the organizational impact envisaged in its mandate.

VI. Financial Disclosure Programme

32. The Ethics Office continued to manage and administer the UNICEF Financial Disclosure Programme – referred to in internal communications with staff members as the Conflict of Interest and Financial Disclosure Programme (CIFDP). The programme, which reached its tenth year of operation in 2017, was designed to protect UNICEF against conflicts of interest and various organizational risks relating to the outside activities and financial engagements of staff members. The CIFDP typically consists of the following process steps: (a) registration of participating staff members; (b) filing by participating staff members; (c) review by the Office; (d) verification by the Office; and (e) issuance of guidance notes by the Office.

33. In accordance with the Executive Directive on Financial Disclosure and Declaration of Interest Statements (CF/EXD/2012-003), all staff members at the D-1 level and above and any staff member whose responsibilities are identified in the Financial Disclosure Policy of UNICEF are required to file a Financial Disclosure Statement. In addition to preselected staff members who are required to file due to their level or functional title, additional staff members are selected jointly, in accordance with the policy, by the Ethics Office and the head of the relevant office or division, during the annual filer registration process. The Ethics Office relies upon the individual offices and divisions for the selection of additional staff members on the basis of the registration guidelines issued by the Ethics Office.

34. In preparation for the 2017 CIFDP launch, the Ethics Office held four global webinars to reach out to representatives and chiefs of operations globally, with the aim of achieving

a better understanding of the function of the CIFDP and what risks it can and cannot mitigate. The Ethics Office also issued updated guidelines under the Executive Directive. An important additional aim of both the CIFDP webinars and the updated guidelines was to (a) lower the overall number of registered filers – which at more than 20 per cent of staff members was traditionally very high in UNICEF, compared with the Secretariat and other funds and programmes; and (b) refocus the composition of the filer population on senior-level staff, in which there is typically a higher conflict-of-interest risk. The rationale was that a lower number of filers would enable the Office to conduct more-in-depth reviews and issue more individualized guidance notes. According to the 2017 statistics, the refocusing exercise was successful, with the overall number of filers reduced from over 2,500 to just over 2,000. In addition, compliance rates were higher and were achieved significantly faster, and the goal of refocusing the CIFDP exercise on more senior level staff was also successfully achieved.

Table 2
Compliance with the Financial Disclosure Programme, 2007–2017

Year	*Number of staff required to file*	*Compliance (percentage)*
2007	2 545	82.8
2008	2 556	83.8
2009	2 536	100.0
2010	2 365	99.6
2011	2 592	99.7
2012	2 694	99.9
2013	2 498	100.0
2014	2 594	100.0
2015	2 549	98.9
2016	2 524	99.3
2017	2 067	99.9

35. A total of 2,061 staff members were reviewed as part of the 2017 CIFDP exercise, covering the reporting year ending 31 December 2016. Director-level staff comprised 6.4 per cent of the total number of reviews (up from 4.8 per cent in 2016), staff members in the international professional category 53.6 per cent (up from 47.2 per cent in 2016), staff in the national professional category 22 per cent (down from 23 per cent in 2016) and staff in the general service category 18 per cent (down from 25 per cent in 2016).

36. An analysis of the reviews shows that 7.6 per cent of staff participating in the 2017 CIFDP, compared with 11.8 per cent in 2016, had nothing to declare. This means that they answered "no" to all questions, i.e., they neither had assets at the threshold level nor any situation that could amount even to a potential conflict of interest that would need to be reviewed and considered by the Ethics Office. The decline can be seen as evidence that the refocusing exercise was successful, in that it allowed the Ethics Office to focus more on filers for whom closer review and consideration was required. A total of 89.2 per cent of staff participating in the 2017 CIFDP either indicated that they had no conflict of interest or declared personal circumstances in which there was some remote connection to the United Nations or UNICEF that did not currently amount to an actual or potential conflict of interest; and 2.5 per cent of staff had a potential conflict of interest. A total of 0.7 per cent

of participating staff had recognized their own conflict of interest and had already taken proactive steps to mitigate it.

37. Among staff selected to participate in the 2017 CIFDP exercise, 3.8 per cent had spouses who worked for UNICEF and 11.7 per cent had spouses who worked for other United Nations agencies or UNICEF-related entities, such as partners, non-governmental organizations or vendors. In addition, 16.9 per cent of participating staff had relatives who worked for UNICEF, other United Nations agencies or UNICEF-related entities.

38. Another source of potential conflict of interest is related to the outside activities of staff members. Among staff selected to participate in the 2017 CIFDP exercise, 5 per cent were involved in such activities or had leadership roles with non-United Nations entities during the reporting period. A continued area of concern for the Ethics Office is the fact that in some instances staff members who, according to their disclosures in the 2017 CIFDP exercise, were engaged in outside activities, had not sought or received the prior approval called for in Executive Directive CF/EXD/2012-009. In these instances, the Office issued specific guidance notes and, where appropriate, informed the relevant head of office.

39. Verification — an exercise in which a randomly selected sample of staff members are asked to provide supporting documents for the Financial Disclosure Statements that they have filed — is typically an important part of the Financial Disclosure Programme. While the Ethics Office conducted four disclosure verification exercises between 2013 and 2016, it was not possible to complete a verification exercise in 2017, since the Office encountered significant personnel challenges, resulting in the need to recruit an outside consultant at short notice in October 2017 to complete the 2017 review exercise before the end of the calendar year. Since then, the staffing situation in the Ethics Office has stabilized so that it is expected that verifications will resume in 2018.

VII. Protection of staff against retaliation and outcome of the 2017 Global Staff Survey

40. During the reporting period, there were two formal requests for protection under the UNICEF whistle-blower protection policy and an additional four inquiries that did not proceed to requests for protection. The Ethics Office, on the basis of an initial examination, determined that in one of the two formal requests a prima facie case of retaliation had been made and referred that case to the OIAI for a full investigation. The outcome of the investigation was shared with the Office, which subsequently requested further clarifications from OIAI.

41. In March 2017, the Division of Human Resources organized and administered the 2017 Global Staff Survey. It contained a total of five questions on standards of conduct.[4] The global average of positive responses to these questions was 67 per cent, representing a

[4] Question 42: "I understand and know what is expected of me under the Standards of conduct of the international civil service, the United Nations Staff Regulations and Rules on rights and obligations of staff, as well as other relevant policies." (94 per cent positive response); question 46: "My management team acts with honesty and integrity" (71 per cent positive); question 45: "In my office, people at all levels are held accountable for ethical behavior" (65 per cent positive); question 43: "At UNICEF, the working mechanisms to resolve questions of misconduct are applied fairly" (55 per cent positive); question 44: "I believe that if I report misconduct through appropriate channels within UNICEF, I would be protected from retaliation" (51 per cent positive).

5 per cent improvement compared with the survey conducted in 2014 and a 10 per cent improvement compared with that conducted in 2011.

42. However, there was significant variation among the answers to the different questions: the responses indicated that staff members felt confident that they knew what the applicable rules said (although, at 94 per cent positive, they might have been overly confident, based on the Principal Adviser's training experiences since her arrival in February 2016). But staff members were much less confident that the rules were applied in the same way to all staff, that everyone would be held accountable for complying with the rules in the same way and that they were safe when reporting misconduct.

43. The 2017 Global Staff Survey outcome on standards of conduct questions seemed to confirm the informal feedback that the Principal Adviser, Ethics, had received in numerous in-person interactions since February 2016, namely, that there continued to be significant concerns among staff members regarding the three tenets identified in the 2015 annual report as necessary for a speak-up culture: (a) a staff member can speak up without fear of retaliation or other negative consequences; (b) speaking up is not futile; and (c) working mechanisms to resolve questions of misconduct or other disputes are applied fairly. The Ethics Office was encouraged, however, by the fact that throughout 2017, particularly in the latter part of the year, following Ethics Leadership Month, more staff members approached the Office with questions concerning the reporting of misconduct, including sexual harassment.

44. The Global Staff Association, following the outcome of the 2017 Global Staff Survey, decided to relaunch a speak-up culture campaign under the tag line of "Voice". The Ethics Office is looking forward to working closely with the Global Staff Association in that respect. The Principal Adviser, Ethics, also committed to being a sounding board for a group of senior managers who will lead the management response to the 2017 Global Staff Survey on the overall topic of accountability. This commitment was based on the tenet that a speak-up culture crucially required equal accountability at all levels: staff will speak up when they believe that senior management listens and will take action. The Office is committed to continuing its work with other stakeholders throughout the organization, in particular the Division of Human Resources, OIAI, the Staff Counsellors, the Office of the Ombudsman and the Global Staff Association, as well as those at the regional- and country-office levels, to increase staff trust in the three tenets of a speak-up culture.

VIII. Ethics Panel of the United Nations and the Ethics Network of Multilateral Organizations

45. In 2017, the Principal Adviser participated in 10 of the 11 meetings of the Ethics Panel of the United Nations, missing one meeting due to official travel. A highlight of the 2017 meetings was a visit during the April meeting by the Secretary-General, who not only expressed his support for and stressed the importance of the Ethics Panel, but also expressed his expectation that it would support his own United Nations reform efforts.

46. As in 2016, the Ethics Panel members frequently consulted one another with a view to harmonizing ethics advice, guidance and practices, in particular on sensitive issues such as the scope of permissible political activities, the promotion of speak-up culture, whistle-blower protection and the independence of the Ethics Offices. While all members of the panel continued to be a great source of peer support for the Principal Adviser, Ethics, she was also able to contribute more actively than the previous year, since it was her second year as a member of the panel and she had established herself as a valued colleague.

47. In the spirit of taking on a more proactive role within the Ethics Panel, the Principal Adviser, Ethics, took on the role, in October 2017, of Alternate Chair for a one-year term. In that capacity, the Principal Adviser is, among other responsibilities, in charge of the independent review of determinations by the United Nations Ethics Office. The review is instigated when the United Nations Ethics Office has determined that there has been no prima facie case of retaliation against a Secretariat staff member, and the staff member decides to request an independent review. In 2017, the Principal Adviser, Ethics, worked on only one such review case, which proved, however, to be extremely complex and difficult to resolve. Further information on the work of the panel is available in the report of the Secretary-General on the activities of the Ethics Office (A/71/334), presented at the seventy-first session of the General Assembly and covering the period from 1 August 2016 to 31 December 2017.

48. UNICEF also participates in the yearly meeting of the Ethics Network of Multilateral Organizations. The meeting is an important forum for sharing experience and developing best practices. The 2017 meeting was organized and hosted by the World Food Programme in Rome and focused on working methods for the network itself and best practices for establishing and running an ethics office. In that context, the Principal Adviser prepared for, participated in and presented at a panel discussion on (a) standards of practice and core responsibilities for the ethics function; and (b) principles to evaluate an ethics function. At the July 2017 Ethics Network meeting, the Principal Adviser was elected as its Vice-Chair for a one-year period and thus will have an active role in preparing the 2018 meeting, which will be hosted by the Secretariat in New York.

IX. Follow-up on 2016 observations

49. In light of the outcome of the 2017 Global Staff Survey and the effects of the #MeToo movement on the humanitarian sector, the following observations made in the 2016 annual report of the Ethics Office remain relevant and seem almost prophetic: staff members, in general, show high levels of engagement, they love their jobs and are deeply committed to the mandate of UNICEF. However, to preserve this high level of engagement and good will, UNICEF needs to continue to demonstrate at all levels its strong and unwavering commitment to cultivating and nurturing a culture of ethics, integrity and accountability, and thereby enhancing the trust in and the credibility of the United Nations, both internally and externally. Advocating for an even stronger speak-up culture will be credible and successful only if there is a listening culture, even if it means at times listening to, receiving and accepting what may look like "bad news".

50. The Ethics Office was encouraged by the fact that throughout 2017, particularly in the latter part of the year, following Ethics Leadership Month, as stated above, more staff members approached the Office with questions regarding the reporting of misconduct, including sexual harassment. It was even more encouraging to note that in late 2017, senior managers increasingly started to contact the Office to discuss how a true listening and accountability culture could be promoted.

X. Observations, recommendations and conclusions

51. The following recommendations are informed by and based upon both the experience of the Ethics Office in 2017 and relevant developments during the first quarter of 2018.

52. To further promote a culture change, it is recommended that a definition of ethical competency, based on objective criteria, be developed by the Division of Human Resources

together with the Ethics Office and other stakeholders, and that such ethical competency be included as a criterion in recruitment and promotion decisions as well as in performance appraisals for all staff members. Criteria to be considered could include, for instance, demonstrated (a) high ethical awareness; (b) skill to handle ethical issues; (c) compliance with functional organizational structures and routines; (d) the use of communication and argumentation skills to foster a culture of ethics and integrity; and (e) confidence and emotional strength. The Division of Human Resources supports this recommendation for recruitment and promotion decisions. With respect to performance appraisals, the Division has also expressed support in principle as well as some caution to not overload the process. The Ethics Office understands that the Division also continues to explore multi-rater feedback and expanding 360-degree performance appraisals to a wider range of staff.

53. In light of the significantly increased number of requests for individual advice and guidance, the Ethics Office has requested funds for a professional case management software system, as is already in use within OIAI and is being introduced for the Policy and Administrative Law Section, Division of Human Resources. This request is currently under review by UNICEF senior management, as part of a larger request for additional funding.